



U.S. ELECTION ASSISTANCE COMMISSION  
1225 New York Ave. NW – Suite 1100  
Washington, DC 20005

## **EAC Research Projects**

One of the Election Assistance Commission's responsibilities under the Help America Vote Act (HAVA) is to collect data about election administration issues and share it with election officials to help them make decisions at the local level. The following research projects currently underway were driven by the requirements of HAVA and also in response to research requests from election officials.

### **Election Management Guidelines**

On December 13, EAC adopted the 2005 Voluntary Voting System Guidelines (VVSG). To complement the VVSG, the EAC is creating a set of election management procedures. EAC will collaborate with a working group of experienced state and local election officials to provide subject matter expertise and to help develop the guidelines. The project will focus on developing procedures related to the use of voting equipment and procedures for all other aspects of the election administration process. The election management guidelines will be available to all election officials if they wish to incorporate these procedures at the state and local levels.

### **Public Access Portal Design Conference**

Section 245(a) of HAVA mandates that EAC conduct a thorough study of issues and challenges presented by incorporating communications and Internet technologies. Section 245(a)(2)(C) indicates that EAC may investigate the impact the new communications or Internet technology systems for use in the electoral process could have on voter participation rates, voter education, and public accessibility. In addition, HAVA allows EAC to periodically study election administration issues, including methods of educating voters on all aspects of participating in elections. One emerging technology enabling voters to obtain information about voting that may affect participation rates and public accessibility is the public access portal, which is a Web site that disseminates voter education information. EAC conducted research to determine what information was available to voters during the last election cycle, and staff discovered that the information was duplicative and sometimes erroneous. Therefore, additional research will be conducted on the dissemination of information to voters. Afterwards, a conference will be convened with election officials and technology experts to discuss the elements of implementing effective public access portals. EAC will then share the findings with election officials throughout the country to help them create access portals that will serve their respective communities.

### **Legal Resources Clearinghouse**

EAC is developing a Web-based legal resources clearinghouse that will house a database containing statutes, regulations, and rules, as well as state and

Federal court decisions that impact the administration of elections for Federal office under HAVA and/or the NVRA. It will provide election officials, state legislators, government officials, and the general public with a central location to conduct election administration research.

### **Best Practices for Recruiting, Training, and Retaining Poll Workers**

Sections 241(a) and 242(b) of HAVA direct EAC to periodically “conduct and make available to the public studies regarding. . . methods of recruiting, training, and improving the performance of pollworkers.” In response to this mandate and to the many election officials who continue to have difficulty recruiting and retaining poll workers, the EAC is working to identify strategies to address the shortage of poll workers. The project will include conducting research about state rules and procedures regarding poll workers and the kinds of resources available in the states to maintain adequate numbers of poll workers. EAC will then produce a tool kit encompassing a collection of best practices in poll worker recruitment, training, and retention; specific steps required to implement effective poll worker programs; and sample recruiting and training materials.

### **Best Practices for Recruiting, Training, and Retaining College Poll Workers**

Section 501 of HAVA requires EAC to implement the Help America Vote College Program. HAVA Section 502 states that EAC shall “develop materials, sponsor seminars and workshops, engage in advertising targeted at students, make grants, and take such other actions as it considers appropriate” to implement this program.

The overall objectives of the project are to (1) collect information on relevant state requirements; issues and options in college poll worker and poll assistant recruitment, training, retention; and effective methods of recruiting, training, and retaining such election workers, including sample materials used in these efforts; (2) produce a user-friendly recruitment tool kit that includes marketing and training materials; (3) conduct a pilot program in conjunction with colleges or universities in a minimum of three election jurisdictions during the 2006 election cycle; and, (4) based on the pilot programs, provide recommendations for revisions to the tool kit and for future activities to benefit efforts to recruit, train, and retain college poll workers.

### **Vote Counts and Recounts**

Section 241(b)(13) of HAVA allows EAC to study the laws and procedures used by each state that govern recounts of ballots cast in elections for Federal office, contests of determinations regarding whether votes are counted in such elections, and standards that define what will constitute a vote on each type of voting equipment used in the state to conduct elections for Federal office.

Consequently, in FY 2005, EAC is conducting research to develop best practices on vote count and recount procedures. The major tasks associated with vote count research include (1) reviewing and analyzing data collected on definitions of what constitutes a vote for each state by voting system, (2) drafting a comprehensive report that includes the data analysis and state-by-state summary of definitions of what constitutes a vote for each voting system, and (3) reviewing literature for methodologies used to establish best practices and developing definitions of what shall constitute a best practice with respect

to vote counts. The major tasks associated with recount research include (1) reviewing and analyzing states' recount procedures, (2) drafting a comprehensive report that includes the data analysis and the State-by-State summary of recount and contest procedures, and (3) developing definitions of what shall constitute a best practice with respect to recounts and contests of determinations. After conducting the research, EAC will provide election officials throughout the country with a set of best practices for both vote counts and recounts.

### **Voting Fraud and Voter Intimidation**

Section 241 enumerates a number of periodic studies of election administration issues that the EAC may elect to conduct. "On such periodic basis as the Commission may determine, the Commission shall conduct and make available to the public studies regarding the election administration issues described in subsection (b)." Sections 241(b)(6) and (7) list the following election administration issues: nationwide statistics and methods of identifying, deterring, and investigating voting fraud in election for Federal office; and identifying, deterring, and investigating methods of voter intimidation. Building on this reference to studies of voting fraud and voting intimidation, EAC is conducting preliminary research on these issues.

Activities include: (1) identify what constitutes voting fraud and voter intimidation affecting Federal elections; (2) perform background research, including Federal and state-by-state administrative and case law review related to voting fraud and voter intimidation and a review of current voting fraud and voter intimidation activities taking place with key government agencies and civic and advocacy organizations; (3) identify and convene a working group of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation; and (4) write a report summarizing the key findings, including suggestions for specific activities to address these topics.

### **Voter Identification**

HAVA Section 303(b) mandates that first-time voters who register by mail for a Federal election provide proof of identity before being allowed to cast a ballot. The law prescribes certain requirements concerning this section, but it also leaves considerable discretion to the states for its implementation. In 2005, some states enacted new voter identification requirements in addition to what is required for Federal elections, resulting in many inquiries to EAC regarding the implications of these new state laws. To provide states with assistance when making decisions regarding voter identification laws, EAC is researching all the relevant state laws and procedures relating to voter identification, and will produce a report before the 2006 elections.

### **Provisional Voting**

Provisional voting in Federal elections was created as a response to people who believed that they were registered to vote in 2000 but were turned away from the polling places because their names did not appear on the poll lists. HAVA Section 303(b) mandates that any eligible voter who appears at the polls must be given a provisional ballot if their name does not appear on the poll list. Provisional voting was not a new concept for all states, but in those jurisdictions enacting provisional voting for the first time, a lot of confusion

surrounded the issue. Therefore, EAC is researching the provisional voting requirements in each state, U.S. territory, and the District of Columbia. EAC will then issue best practices for implementing this important HAVA mandate and make this information available to election officials before the 2006 elections.

### **Effective Designs for the Administration of Federal Elections**

Section 302(b) of HAVA requires the appropriate state or local election official to publicly post voting information at each polling place on the day of each election for Federal office. Section 241(b) of HAVA describes ballot designs for elections for Federal office as one of the election administration issues to be periodically studied to promote effective administration of Federal elections. EAC will develop best practices regarding the design of ballots and voter information posted in the polling place on Election Day. This effort will also include assistance with the redesign of the National Mail Voter Registration Form required by the National Voter Registration Act to make it more accessible to all voters in terms of readability and usability.

### **Hispanic and Asian Working Groups**

Section 241 of HAVA allows the EAC to carry out studies and other activities with the goal of promoting effective administration of Federal elections. Effective administration methods are to be the most convenient, accessible, and easy to use for voters, including voters with limited proficiency with the English language. Sections 241(b) (5) and (14) directly refer to conducting studies to address issues faced by voters with limited proficiency in the English language. EAC convened its first Hispanic Working Group meeting in August 2005 and the first Asian Working Group meeting in April 2006. The purpose of these meetings was to provide guidance to the commission as it focuses on research to address language barriers to voting as well as input on the readability and usability of the National Mail Voter Registration Form and the updated List of Translated Election Terms. After conducting an initial assessment of these issues, the Working Groups will help the EAC develop a best practices document containing methods of effective administration of Federal elections affecting the Hispanic and Spanish-speaking and Asian communities.